

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED BY 38X D.C.

05 JUN 21 PM 3: 27

KENT GORDON GARVER,

Petitioner,

vs.

UNITED STATES OF AMERICA,

Respondent.

Cv. No. 02-2489-D

Robert R. Di Trollo
CLERK U.S. DIST. CT.
W.D. OF TN. MEMPHIS

FILED BY [Signature] D.C.
05 JUN 23 PM 12: 24
ROBERT R. DI TROLLO
CLERK U.S. DIST. CT.
W.D. OF TN. MEMPHIS

GOVERNMENT'S MOTION TO CONTINUE EVIDENTIARY HEARING

Comes the United States of America by and through the United States Attorney for the Western District of Tennessee and files this motion to continue the evidentiary hearing set in this matter for 2:00 p.m., Friday, July 1, 2005. In support of this motion the United States would show as follows:

The government anticipates that the only witness it will call at the evidentiary hearing will be the defendant's previous counsel, Assistant Federal Public Defender, April R. Goode. Ms. Goode has advised government counsel that she needs to be in the Eastern Division on July 1, to prepare for a trial that is scheduled to begin on Tuesday, July 5th.

Government counsel has contacted Mr. Robert C. Brooks, counsel for petitioner. Mr. Brooks has advised government counsel that as of the date of this motion, his efforts to contact petitioner regarding petitioner's failure to appear at the last scheduled hearing on June 3, have been unsuccessful, and therefore, Mr. Brooks does not oppose the government's motion.

MOTION GRANTEDDATE: 6-22-2005[Signature]
BERNICE ROUE DONALD

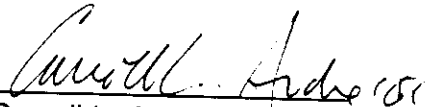
U.S. DISTRICT JUDGE

This document entered on the docket sheet in compliance with Rule 58 and/or 79(a) FRCP on 6-4-05

WHEREFORE, the United States moves the Court for a short continuance of the evidentiary hearing in this matter.

Respectfully submitted,

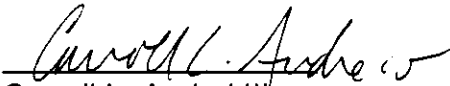
TERRELL L. HARRIS
United States Attorney

By: 
Carroll L. Andre' III, #010733
Assistant United States Attorney
167 N. Main, Room 800
Memphis, TN 38103
(901) 544-4231

CERTIFICATE OF SERVICE

I, Carroll L. Andre' III, Assistant United States Attorney for the Western District of Tennessee, hereby certify that a copy of the foregoing **GOVERNMENT'S MOTION TO CONTINUE EVIDENTIARY HEARING** has been mailed, first class postage pre-paid, to Mr. Robert C. Brooks, Attorney at Law, P.O. Box 771558, Memphis, Tennessee, 38177.

This 21st day of June, 2005.


Carroll L. Andre' III
Assistant United States Attorney



Notice of Distribution

This notice confirms a copy of the document docketed as number 21 in case 2:02-CV-02489 was distributed by fax, mail, or direct printing on June 24, 2005 to the parties listed.

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P.O. Box 771558
Memphis, TN 38177

Honorable Bernice Donald
US DISTRICT COURT